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AUG 26 2004

Serial No. 10/680,915
67067-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph D. Rippolone Group Art Unit: 3753
Serial No.: 10/680,915 Examiner: Walton, George L.
Filed: October 8, 2003
Title: PLUMBING TOOL AND METHOD FOR REPAIRING A PIPE THEREWITH

**TERMINAL DISCLAIMER TO OBVIATE
OBVIOUSNESS-DOUBLE PATENTING REJECTIONS**

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

I, David L. Wisz, represent that I am an agent authorized to sign on behalf of the above-referenced Applicant of record, **Waterfall, Inc.** The application has been and continues to be owned by **Waterfall, Inc.**

Title in the above referenced application is owned by **Waterfall, Inc.** The extent of the interest of **Waterfall, Inc.**, is in the whole of this invention.

I have reviewed the application listed above, and to the best of my knowledge and belief, title to the present application is in **Waterfall, Inc.**

I hereby disclaim the terminal part of any patent granted on the above identified application which would extend beyond the expiration of the full statutory term of United States Patent No. 6,508,267 as presently shortened by any terminal disclaimers, and hereby agree that any patents granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,508,267. This agreement is to run with any patent granted on the above-identified application, and to be binding upon the grantor, its successors or assignees. Petitioner does not disclaim any terminal part of any patent granted on the above-identified applications prior to the expiration date of the full statutory term of United States Patent No. 6,508,267 as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a re-examination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.



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Dated: August 26, 2004

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States
Patent and Trademark Office, (703) 872-9306, on August 26, 2004.



Beth A Beard